

Castle on the cliff gets to stay

By Paul Rogers
Mercury News Staff Writer

A Campbell trucking executive who built a 25-room mansion on a panoramic cliff south of Santa Cruz without obtaining the legal building permits will get to keep most of the immense dwelling — including his 2,000-square-foot bedroom and four jacuzzis.

Under an agreement reached last week and finalized with Santa Cruz County officials Wednesday, Peter Viviano will have to demolish 20 percent of the house and pay record fines.

Viviano's house, described as "a minor Hearst Castle" by his attorney, has sat va-

cant for six years while he and county planners have been at each other's throats.

In 1984, Viviano was given a county building permit to build a 6,800-square-foot home on his land overlooking Monterey Bay just south of Manresa Beach, in La Selva Beach. However, the house — with its dome visible from nearby San Andreas Road as well as from Highway 1 — ended up being 13,000 square feet, despite efforts by building inspectors to halt construction.

Many Santa Cruz residents, who for years have been forced to obtain exhaustive paperwork to add garages or porches to their

houses, were outraged, and accused Viviano of moving in from Santa Clara Valley and thumbing his nose at the system.

In 1988, the board of supervisors ruled that Viviano had violated local codes as well as the California Coastal Act, which requires permit approval for buildings near the ocean. The board ordered him to cut the house down to 9,500 square feet — still almost 50 percent bigger than the permit allowed — and to remove the third floor and dome.

Viviano refused. He then filed a \$10 million lawsuit.

Wednesday's settlement, hammered out in a court hearing on the eve of the trial with his attorneys and Santa Cruz County Counsel Dwight Herr, was described by both sides as a victory.

Under the terms, Viviano will pay \$325,000 in penalties, the largest fine in California history for a violation of the Coastal Act. He will demolish the edges of the house, cutting its size by about 20 percent. In addition, he will dismiss the lawsuit and heavily landscape the 20-acre yard to screen the Holiday Drive house from the beach.

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Viviano mansion pact includes a hefty fine

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But when all the dust has cleared, Viviano will still own an 11,000-square-foot house. The third floor will stay. So will the dome.

"Some people would think it's garish. Others would call it a thing of beauty," said Viviano's attorney, Paul Lamphere.

Viviano, a businessman in his early 30s who also runs an international scrap metal firm, could not be reached for comment.

His half-finished house, appraised with the land at \$7.5 million, has fallen victim to the elements during the saga and will require extensive remodeling, Lamphere said.

"These people have always treated this building as an art form," he said. "They've looked at it as a rare painting sitting on the hill, and they've had to see it rotting."

County attorneys said the original blueprints show at least 25 rooms and four jacuzzi areas. In addition, Lamphere said the contractor spent a year studying in Italy to ensure the house would have accurate Mediterranean fixtures and architecture.

Asked if the settlement sends out a message that rich people can skirt building laws by paying hefty fines, Herr said the ruling vindicates the county.

"It sends a very strong message that we are going to insist on compliance," he said.

Viviano's \$325,000 penalty will

go into a fund to upgrade beaches in Santa Cruz County, he added, and most likely also will be used for wetlands restoration.

The controversy is but another in a long line of conflicts between Viviano's family and land-use officials.

His uncle, developer Anthony Cocciardi, ran afoul of Coastal Commission rules in 1982. Cocciardi owns a 10,000-square-foot house adjacent to Viviano's. He subdivided the property, providing Viviano ground for his house.

California Coastal Commission and county officials asked the state Attorney General's Office to issue an order in July 1982 for Cocciardi to stop all work on a home he was building there.

On that property, Cocciardi graded in the wrong places and cleared a much larger area than approved, according to Coastal Commission documents. He also put in unapproved landscaping and built an unapproved 25,200-square-foot parking area. Final approval for the home to be finished was given in September 1985.

In addition, Cocciardi has been sued by Saratoga city officials for his part in illegally grading the site of a proposed Saratoga subdivision last November and tearing down 34 mature oak trees, each more than 100 years old. The case, which involves property largely owned by Cocciardi, is being investigated by a special city task force and the Santa Clara County district attorney.